

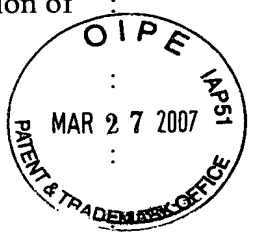
03-29-07

PCT [10537/290]

**IAP6 Rec'd PCT/PTO 27 MAR 2007**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Christian BORN et al.
Serial No.	:	10/534,369
Filing Date	:	September 19, 2003
For	:	MOTOR VEHICLES STEERING COLUMN
Examiner	:	To be assigned
Group Art Unit	:	To be assigned



Address to:  
Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW ERRONEOUS HOLDING OF ABANDONMENT**

SIR:

Applicants hereby petition to have the erroneous holding of abandonment, as indicated in the Notice of Abandonment dated February 23, 2007, for the above-identified patent application withdrawn in view of the following.

A Notification of Missing Requirements, dated October 4, 2005, set a two-month response period, *i.e.*, December 4, 2005. In response to the October 4, 2005 Notification of Missing Requirements, a Response dated October 24, 2005 addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, was mailed to the U.S. Patent and Trademark Office on October 24, 2005 by Express Mail. The Office was authorized to charge deposit account 11-0600 for all fees as appropriate and/or necessary, including the \$130 fee for late filing of the Declaration. The Response was signed by Applicants' Attorney on October 24, 2005. The Express Mail label was provided with a date-in date and postmark date of October 24, 2005 by the U.S. Postal Service.

To evidence the foregoing, copies of the Notice of Abandonment dated February 23, 2007, the October 4, 2005 Notification of Missing Requirements, the Response to Notification of Missing Requirements filed on October 24, 2005, and the stamped Express Mail label evidencing that the Response was mailed on October 24, 2005 are attached hereto.

EV 885 414 254 US

The Response and Declaration included an indication of Express Mail Label No. EV 320 244 963 US, which corresponds to the attached Express Mail label.

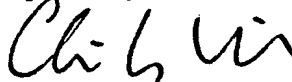
This petition is being promptly filed after receipt of the Notice of Abandonment. In addition, the Response to the Notification of Missing Requirements included an indication of the corresponding Express Mail label number. Moreover, the Express Mail Label bears a date-in and postmark date of October 24, 2005, well within the two-month period for responding to the October 4, 2005 Notification of Missing Requirements. Therefore, it is respectfully submitted that a response to the Notification of Missing Requirements was filed timely, *i.e.*, on October 24, 2005, and that the holding of abandonment of this application was erroneous. Withdrawal of the holding of abandonment is therefore respectfully requested.

It is believed that no fee is necessary in connection with this Petition, but should any fee(s) be required, the Commissioner is authorized to charge any necessary fee(s) to Deposit Account No. 11-0600.

Date MARCH 27, 2007

By:

Respectfully submitted,



Clifford A. Ulrich  
Reg. No. 42,194  
KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
Telephone: (212) 425-7200  
Facsimile: (212) 425-5288  
**CUSTOMER NO. 26646**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,369	Christian BORN	10537/290

INTERNATIONAL APPLICATION NO.	
PCT/EP03/10458	
I.A. FILING DATE	PRIORITY DATE
09/19/2003	11/07/2002

26646  
 KENYON & KENYON LLP  
 ONE BROADWAY  
 NEW YORK, NY 10004



CONFIRMATION NO. 7627

**371  
 ABANDONMENT/TERMINATION  
 LETTER**



\*OC000000022635720\*

Date Mailed: 02/23/2007

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 10/04/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37.CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/534,369	FIRST NAMED APPLICANT Christian BORN	ATTY. DOCKET NO. 10537/290
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26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

INTERNATIONAL APPLICATION NO. PCT/EP03/10458	
I.A. FILING DATE 09/19/2003	PRIORITY DATE 11/07/2002

CONFIRMATION NO. 7627  
 371 FORMALITIES LETTER



\*OC000000017158039\*

Date Mailed: 10/04/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/09/2005
- English Translation of the IA filed on 05/09/2005
- Copy of the International Search Report filed on 05/09/2005
- Copy of IPE Report filed on 05/09/2005
- Preliminary Amendments filed on 05/09/2005
- Information Disclosure Statements filed on 05/09/2005
- Request for Immediate Examination filed on 05/09/2005
- U.S. Basic National Fees filed on 05/09/2005
- Priority Documents filed on 05/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

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EV 885 414 254 US

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,369	PCT/EP03/10458	10537/290

FORM PCT/DO/EO/905 (371 Formalities Notice)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			
<b>RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371</b>		Docket Number: <b>10537/290</b>	
		International Application No.: <b>PCT/EP03/10458</b>	
Application Number <b>10/534,369</b>	International Filing Date <b>September 19, 2003</b>	Examiner <b>To be assigned .</b>	Art Unit <b>To be assigned</b>
Invention Title <b>MOTOR VEHICLE STEERING COLUMN</b>		Inventor(s) <b>Christian BORN et al.</b>	

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

S I R:


In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed October 4, 2005, Applicants submit herewith a fully executed Declaration (7 pages), in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. Applicants also enclose a copy of the Notification as required.

1. The U.S. Patent and Trademark Office is authorized to charge the \$130.00 (large entity) fee to cover the surcharge for late filing of the Declaration and Power of Attorney to Deposit Account No. 11-0600. Should any additional fees be required, the U.S. Patent and Trademark Office is authorized to charge them to Deposit Account No. 11-0600.
2. A copy of this paper is enclosed for charging purposes.

Dated:

*October 24, 2005*

By:



Clifford A. Ulrich (Reg. No. 42,194)  
KENYON & KENYON  
One Broadway  
New York, N.Y. 10004  
(212) 425-7200 (telephone)  
(212) 425-5288 (facsimile)  
CUSTOMER NO. 26646

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MOTOR VEHICLE STEERING COLUMN**, the specification of which was filed as PCT International Patent Application No. PCT/EP2003/10458 on September 19, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Number	Country filed	Day/month/year	Priority Claimed Under 35 U.S.C. § 119
102 51 764.9	Fed. Rep. of Germany	07/November/2002	Yes

Please address all communications regarding this application to:

KENYON & KENYON  
One Broadway  
New York, New York 10004  
CUSTOMER NO. 26646

Please direct all telephone calls to Richard L. Mayer at (212) 425-7200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: **Christian BORN**

Inventor's Signature: *C.B.*

Date: *18.07.2008*

Residence: Suelldorfer Landstrasse 86 A  
D-22589 Hamburg  
Federal Republic of Germany

Citizenship: Federal Republic of Germany

Post Office Address: Same as above

Inventor:

<sup>N</sup>  
Karl-Heinz KOLL

Inventor's Signature:

Karl-Heinz Koll

Date: 02. 08. 2005

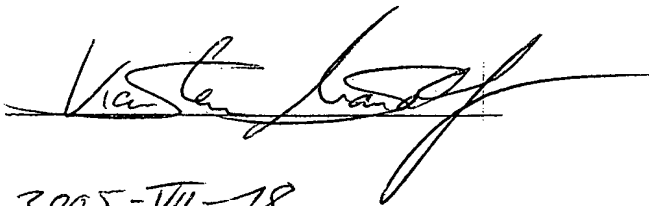
Residence: Urbanstrasse 25  
D-71384 Weinstadt  
Federal Republic of Germany

Citizenship: Federal Republic of Germany

Post Office Address: Same as above

Inventor: **Karsten MAUSOLF**

Inventor's Signature:



Date: 2005-VII-18

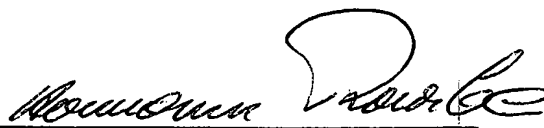
Residence: Viktoria-Luise-Strasse 7  
D-29614 Soltau  
Federal Republic of Germany

Citizenship: Federal Republic of Germany

Post Office Address: Same as above

Inventor: **Hermann RAABE**

Inventor's Signature:



Date:

15.08.2005

Residence: Roemerstrasse 21  
D-70794 Filderstadt  
Federal Republic of Germany

Citizenship: Federal Republic of Germany

Post Office Address: Same as above

Inventor: **Wolfgang SCHULIERS**

Inventor's Signature: Wolfgang Schuler

Date: 18. July. 2005


Residence: Kurze Strasse 2 a  
D-21244 Buchholz  
Federal Republic of Germany


Citizenship: Federal Republic of Germany

Post Office Address: Same as above

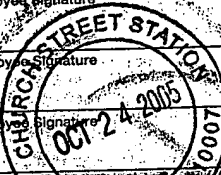
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**VA. 22313-1450**

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